

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Designate the Arctic Charr as a State Heritage Fish**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 1 MRSA §212-A**, as enacted by PL 2005, c. 180, §1, is repealed and the following enacted in its place:

### **§ 212-A. State heritage fish**

- 1. Eastern Brook Trout.** The eastern brook trout, *Salvelinus fontinalis*, is a state heritage fish.
- 2. Arctic Charr.** The subspecies of the arctic charr, *Salvelinus alpinus oquassa*, also known as blueback charr, is a state heritage fish.

**Sec. 2. 12 MRSA §12461**, as enacted by PL 2005, c. 180, §2, is amended to read:

### **§ 12461. State heritage fish waters**

**1. Adoption of initial list of state heritage fish waters.** The commissioner shall adopt by rule a list of ~~native brook trout~~state heritage fish waters composed of lakes and ponds that contain ~~eastern brook trout~~any state heritage fish and have never been stocked according to any reliable records. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**2. Addition of waters to list.** The commissioner may adopt rules to amend the list established in subsection 1 to add a lake or pond if that lake or pond meets criteria established by the commissioner for classifying a lake or pond as ~~native brook trout~~state heritage fish waters. Rules adopted to add a lake or pond to the list established under subsection 1 are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Removal of waters from list.** The commissioner may by rule remove a lake or pond from the list established in subsection 1. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**4. Stocking state heritage fish.** The commissioner may not stock or issue a permit to stock fish in a lake or pond listed as ~~native brook trout water~~state heritage fish waters under this section.

**5. Fishing restrictions.** A person may not use live fish bait or possess live fish bait on a lake or pond listed as ~~native brook trout water~~state heritage fish waters under this section. A person who violates this subsection commits a Class E crime.

## **SUMMARY**

HP0147, LD 165, item 1, 123rd Maine State Legislature  
An Act To Designate the Arctic Charr as a State Heritage Fish

This bill establishes the *Salvelinus alpinus oquassa*, a distinct subspecies of the arctic charr fish and known in Maine as the blueback charr, as a state heritage fish. It also requires the Commissioner of Inland Fisheries and Wildlife to adopt by rule a list of all state heritage fish waters and requirements.